



COUNTY OF LOS ANGELES  
CLAIMS BOARD  
500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

John Naimo  
Auditor-Controller  
Steve Robles  
Chief Executive Office  
Patrick A. Wu  
Office of the County Counsel

NOTICE OF MEETING

The County of Los Angeles Claims Board will hold its regular meeting on **Monday, March 18, 2013, at 9:30 a.m.**, in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board.
3. Closed Session - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9).
  - a. Kenneth Kohr v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. PC 047 437

This dangerous condition lawsuit arises from a slip and fall accident on a boat dock at Castaic Lake, which is maintained by the Department of Parks and Recreation; settlement is recommended in the amount of \$45,000.

[See Supporting Documents](#)

- b. Basilia Vazquez v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 467 564

This medical negligence lawsuit arises from injuries sustained for care and treatment received by a patient while hospitalized at the LAC+USC Medical Center; settlement is recommended in the amount of \$235,000 plus waiver of the hospital bills in the estimated amount of \$20,307.

[See Supporting Documents](#)

4. Report of actions taken in Closed Session.
5. Approval of the minutes of the March 4, 2013, meeting of the Claims Board.

[See Supporting Document](#)

6. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.
7. Other Actions.

Mary Rosales v. County of Los Angeles  
United States District Court Case No. CV 11-9423 R (Manx)

This lawsuit sought compensation for alleged overtime by a retired In-Home Supportive Services Social Worker with the Department of Public Social Services. On September 17, 2012, the Claims Board authorized a statutory offer, and on October 2, 2012, the case was settled and approved by the court for \$85,000.

8. Adjournment.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Kenneth Kohr v. County of Los Angeles, et al.
CASE NUMBER	PC 047437
COURT	Los Angeles County Superior Court, Chatsworth Courthouse
DATE FILED	February 1, 2010
COUNTY DEPARTMENT	Parks and Recreation
PROPOSED SETTLEMENT AMOUNT	\$ 45,000.00
ATTORNEY FOR PLAINTIFF	William Weilbacher, Jr.
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Senior Deputy County Counsel
NATURE OF CASE	Plaintiff Kenneth Kohr slipped, fell, and injured himself on a boat dock at Castaic Lake. He claims that ice on the dock represented a dangerous condition. The County disputes that the dock represented a dangerous condition and contends that Mr. Kohr's own negligence caused his fall. Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$45,000 is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 206,554.25
PAID COSTS, TO DATE	\$ \$65,768.41



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	February 11, 2009
Briefly provide a description of the incident/event:	Plaintiff alleges that on February 11, 2009 shortly after 7:00 a.m. he slipped and fell on the dock breaking his patella (knee cap) as he tried to launch his motorboat at Castaic Lake.

1. Briefly describe the root cause(s) of the claim/lawsuit:

Plaintiff contends he slipped and fell on an icy dock because the slip resistant coating on the dock was worn out.

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)


1. All three docks at Castaic were re-coated with skid resistant coating and paint in May of 2009.
2. All three docks were replaced in January of 2013.
3. Since the accident, Castaic Lake Lifeguards are instructed to put out cones with a warning sign if they notice ice on the dock during their morning inspection until they take care of the hazard. During such time, the dock may remain closed to the public or if the frozen area is small, only that area will be cautioned off. This process will be incorporated and written into the Upper Lake Training for lifeguards.
4. Department is looking into the feasibility of putting warning signs by the docks during the winter season.
5. With the help of County Counsel, revisions are being made to the waiver of liability form used with the purchase of the annual boat permit.

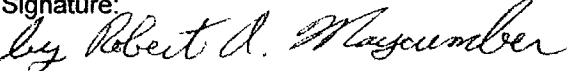
3. State if the corrective actions are applicable to only your department or other County departments:  
(If unsure, please contact the Chief Executive Office Risk Management for assistance)

County of Los Angeles  
Summary Corrective Action Plan

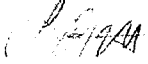
---

- ☐ Potentially has County-wide implications.
- ☒ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☐ Does not appear to have County-wide or other department implications.

Name: (Risk Management Coordinator) Anush Gambaryan	
Signature: 	Date: 3-7-13

Name: (Department Head) Russ Guiney	
Signature: 	Date: 3/11/13

**Chief Executive Office Risk Management**

Name: LEO COSTANTINO	
Signature: 	Date: 3-6-13

## **CASE SUMMARY**

### **INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION**

CASE NAME	Basilia Vazquez v. County of Los Angeles
CASE NUMBER	BC 467564
COURT	Los Angeles Superior Court - Central
DATE FILED	August 15, 2011
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$235,000, plus waiver of the hospital bill in the estimated amount of \$20,307
ATTORNEY FOR PLAINTIFF	Douglas A. Rothen, Esq. Kabateck Brown Kellner, LLP
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Senior Deputy County Counsel
NATURE OF CASE	<p>On August 11, 2010, Basilia Vazquez, a 32-year-old female, underwent an endoscopic procedure at LAC+USC Medical Center ("LAC+USC") to remove her gallbladder stones.</p> <p>On August 15, 2010, she returned to LAC+USC with complaints of fever and nausea. It was discovered that her small intestine had been injured, probably during the August 11, 2010, endoscopic procedure. The LAC+USC staff immediately repaired the intestinal injury, and Ms. Vazquez recovered.</p>

Basilia Vazquez brought a medical malpractice lawsuit against the County of Los Angeles claiming that the LAC+USC staff were negligent in performing the August 11, 2010, procedure.

PAID ATTORNEY FEES, TO DATE

\$65,462

PAID COSTS, TO DATE

\$11,315

Case Name: Vazquez, Basilia



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	8/11/2010
Briefly provide a description of the incident/event:	<p>On August 11, 2010, Basilia Vazquez, a 32-year-old female, underwent an endoscopic procedure at LAC+USC Medical Center ("LAC+USC") to remove her gallbladder stones.</p> <p>On August 15, 2010 she returned to LAC+USC with complaints of fever and nausea. It was discovered that her small intestine had been injured, probably during the August 11, 2010 endoscopic procedure. The LAC+USC staff immediately repaired the intestinal injury, and Ms. Vazquez recovered.</p> <p>Basilia Vazquez brought a medical malpractice lawsuit against the County of Los Angeles claiming that the LAC+USC staff were negligent in performing the August 11, 2010 procedure.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

Bowel injury related to abdominal surgery.

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- The facility revised and improved their processes related to the management of patients following gastroenterology procedures and tracking revisions to ordered radiological exams.
- The facility provided education regarding the management of fluid output from gastrointestinal tubes.
- QIPS evaluated the process in place at applicable DHS facilities for the management of gastrointestinal stents and notifying ordering clinicians of subsequent revisions to requested radiological exams. All applicable DHS facilities have a process in place for managing gastrointestinal stents. All applicable DHS facilities have, or are in the course of developing, a process for communicating changes to ordered radiological exams.



3. State if the corrective actions are applicable to only your department or other County departments:  
(If unsure, please contact the Chief Executive Office Risk Management for assistance)

- ☐ Potentially has County-wide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- X Does not appear to have County-wide or other department implications.

Name: (Risk Management Coordinator)	
Signature: <i>Arun Patel</i>	Date: <i>1/10/13</i>

Name: (Department Head)	
Signature: <i>Hal Yee</i>	Date: <i>2/20/13</i>

Chief Executive Office Risk Management

Name: <i>LEO COSTANTINO</i>	
Signature: <i>[Signature]</i>	Date: <i>1-8-13</i>

# COUNTY OF LOS ANGELES CLAIMS BOARD

## MINUTES OF REGULAR MEETING

March 4, 2013

### 1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:30 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: John Naimo, Steven NyBlom, and Patrick Wu.

Other persons in attendance at the meeting were: Office of the County Counsel: Rosemarie Belda and Kent Sommer; Department of Health Services: Karen White; Department of Children and Family Services: Michelle Hochstein; and Department of Human Resources: Liza Javier.

### 2. Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.

No members of the public addressed the Claims Board.

### 3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code Section 54956.9).

At 9:32 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(b) below.

### 4. Report of actions taken in Closed Session.

At 10:14 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

#### a. Comfort Ekeledo v. County of Los Angeles Los Angeles Superior Court Case No. BC 469 798

This lawsuit concerns allegations of disability discrimination, retaliation, failure to accommodate, and failure to engage in the interactive process by an employee of the Department of Health Services.

#### Action Taken:

The Claims Board approved settlement of this matter in the amount of \$29,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

**b. Claim of Karen Corey**

This claim concerns allegations of sexual harassment by an employee of the Department of Children and Family Services.

**Action Taken:**

The Claims Board approved settlement of this matter in the amount of \$40,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

**5. Approval of the minutes of the February 4, 2013, meeting of the Claims Board.**

**Action Taken:**

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

**6. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.**

No such matters were discussed.

**7. Adjournment.**

The meeting was adjourned at 10:20 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson  
Carol J. Slosson